

1799



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,652	07/12/2000	Hidemi Sasaki	Q60032	2349

7590 09/10/2004

Sughrue Mion Zinn Macpeak & Seas
2100 Pennsylvania Avenue NW
Washington, DC 20037

EXAMINER

GENCO, BRIAN C

ART UNIT	PAPER NUMBER
----------	--------------

2615

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/614,652

Applicant(s)

SASAKI, HIDEMI

Examiner

Brian C Genco

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 16 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Applicant's amendment filed July 6, 2004 has been fully considered by the Examiner but is not deemed persuasive.

Applicant argues that the Examiner has provided an "improper double-counting of elements to support the rejection" by relying on the connector 22a to teach both the loading chamber and the connecting device.

In response, as currently amended the connection device is an electrical connection. Examiner notes that the disclosure of the Maeda reference indicates that the connecting portion 22a is a mechanical and electrical connector. As such, the electrical connecting portions of the connector 22a are the claimed electrical connection device provided in the loading chamber, namely in the connector 22a. Further, the mechanical connecting portions of the connector 22a and the surface of the connector 22a shown in Fig. 31 are the claimed loading chamber.

Examiner notes that should applicant claim that the loading chamber was within the printer section it would appear to overcome the Maeda reference. Examiner notes that Maeda does disclose a loading chamber 25b shown in Fig. 34 within the printer section, however, does not disclose that the loading chamber 25b shown in Fig. 34 has the claimed electrical connection device. Examiner notes that the loading chamber 25a, for connecting to the camera is not within the printing section, but rather is on the surface of the printing section.

Applicant argues that claim 1 limits that the connection device is separately provided from the loading chamber.

Art Unit: 2615

In response, Examiner respectfully disagrees. Claim 1 explicitly limits that the electrical connection device be "provided in the loading chamber". As such, the connection device and the loading chamber are not separately provided. Examiner further notes Fig. 7 of the instant invention wherein it is clearly illustrated that the connection device and the loading chamber are integrally provided. Examiner notes that as shown in Fig. 31 the electrical contacts, or electrical connection device, are in the groove of the loading chamber 22a and as such are provided in the loading chamber.

Applicant argues that claim 8 specifies that the materials are loaded into the loading chamber and that to the extent that a recording medium may be placed inside a printer, the medium is not loaded in the chamber.

In response, Examiner notes that claim 8 limits that the recording materials are loaded as a package or cartridge in the loading chamber. Examiner notes that the recording materials of Maeda are loaded as a package or cartridge, namely they are loaded as part of the package comprising the printer, wherein the package is connected in the loading chamber.

Allowable Subject Matter

Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In regards to claim 15, the prior art of record does not disclose nor fairly suggest an electronic still camera as claimed in claim 1 wherein the camera section and printer

Art Unit: 2615

are integrally formed and accommodated in a common housing. Examiner notes that while the camera and printer sections disclosed by Maeda are integrally formed they are not accommodated in a common housing.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 8/1, and 11-14, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by (USPN 5,606,420 to Maeda et al.).

In regards to claim 1 Maeda et al., herein Maeda, discloses an electronic still camera comprising a camera section for picking up electronic images of subjects through an image sensor and memorizing digital image data of the electronic images, an a printer section for recording images on recording materials on the basis of the digital image data, characterized by comprising:

a main power source for supplying the camera section and the printer section (e.g., element 109 of Fig. 1; column 8, lines 26-34);

a loading chamber for holding the recording materials in a position for allowing the printing section to print on the recording materials (e.g., element 22a of Figs. 31-38

Art Unit: 2615

wherein a printer may be electrically and mechanically connected, wherein the recording materials are held in the printer; column 31, lines 4-10); and

a connection device provided in the loading chamber, for connecting the electronic still camera to an extending device that may be loaded in the loading chamber in place of the recording materials, for extending a particular function of the electronic still camera (e.g., Figs. 31-38 wherein elements 23 and 24 are a TV reproduction unit and a display unit respectively and are electrically and mechanically attached to camera 22 through connecting chamber 22a. These extending devices extend the displaying function of the electronic still camera; column 30, line 61 – column 31, line 54).

In regards to claim 8/1 note that all of the elements are attachable/detachable to the camera.

In regards to claim 11 note that the printer is a thermal printer (e.g., Figs. 6-8).

In regards to claim 12 see Examiners notes on the rejections above. Note the modularity of the Maeda reference.

In regards to claim 13 see Examiners notes on the rejections above. Note that the common physical space is the space adjacent to the camera connected to the connector 22a.

In regards to claim 14 see Examiners notes on the rejections above. Note the modularity of the Maeda reference.

In regards to claim 16 Maeda discloses the camera according to claim 1, wherein the loading chamber accommodates physical dimensions of the recording materials (e.g., the loading chamber accommodates the physical dimensions of the printer wherein the printer accommodate the physical dimensions of the recording materials. As such, the

Art Unit: 2615

loading chamber accommodates the physical dimensions of the recording materials) within boundary surfaces of the loading chamber (e.g., Examiner notes that the circumference of the loading chamber are boundary surfaces, and as such, since the printer is within the circumference of the loading chamber then the recording materials are within the circumference of the loading chamber and as such are within boundary surfaces of the loading chamber).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 2, 3, 4/2, 4/3, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over (USPN 5,606,420 to Maeda et al.) in view of (USPN 5,231,511 to Kodama et al.).

In regards to claim 2 Maeda does not disclose nor preclude having a supplementary power source additionally attachable to the camera. It is known in the art to provide a supplementary power source to a camera through attachment as taught by Kodama et al, herein Kodama. Kodama discloses attaching a player device that is used to both supply power to the camera and to recharge the camera battery (e.g., column 6, lines 37-41; 56-60; column 7, line 62 – column 8, line 10; column 8, lines 50-62; column 9, lines 3-29). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have included the above features to Maeda's TV reproduction unit 23 in order to further extend the battery life of the camera.

In regards to claim 3 see Examiners notes on the rejection of claim 2.

In regards to claims 4/2 and 4/3 see Examiners notes on the rejections above. Note that in Fig. 3 of Kodama, the player can be loaded with a rechargeable battery pack 35 which contains one or more batteries (column 6, lines 19-25).

In regards to claim 6 see examiners notes on the rejection of claim 2.

Claims 5, 7, and 8/7 are rejected under 35 U.S.C. 103(a) as being unpatentable over (USPN 5,606,420 to Maeda et al.).

In regards to claims 5 and 7, Maeda discloses a thermal printer. Maeda does not disclose the limitations of claims 5 and 7 as in an ink jet printer or printing using self-developing film respectively. Examiner notes that one having ordinary skill in the art at the time of the invention was made would recognize to have used a ink jet printer or self-developing film instead since in the combined camera and printer art it is equivalent to print a photograph using a thermal printer and print a photograph using an ink jet printer

Art Unit: 2615

or self developing film. Official Notice is taken. Therefore it would have been obvious to one skilled in the art at the time of the invention to have selected of any of these known equivalents since it would be within the level of ordinary skill in the art.

In regards to claim 8/7 see Examiners notes on the rejection of claim 8/1.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over (USPN 5,606,420 to Maeda et al.) in view of (USPN 5,635,983 to Ohmori).

In regards to claim 9 Maeda does not disclose nor preclude having a memory medium for an extending device. Examiner notes that Maeda does disclose a memory card, 112 depicted in Figs. 31, 35, and 37. Ohmori discloses to connect a hard disk as an auxiliary unit to a camera in order to provide a compact way to hugely increase the number of images that can be recorded (column 1, lines 46-56). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have added a modular component to Maeda's invention comprising a hard disk in order to provide a compact way to hugely increase the number of images that can be recorded.

In regards to claim 10 see Examiners notes on the rejection of claim 9.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2615

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian C. Genco who can be reached by phone at 703-305-7881 or by fax at 703-746-8325. The examiner can normally be reached on Monday thru Friday 8:30am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-308-4357.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2615

Brian C Genco
Examiner
Art Unit 2615

August 4, 2004

A handwritten signature in black ink, appearing to read 'Andrew Christensen', is written over the printed name.

ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600